

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMAPNY	DOCKET NO. GCU-02-1
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CERTIFICATE OF PUBLIC CONVENIENCE, USE, AND NECESSITY

Permit No. GCU-02-1 Docket No. GCU-02-1
Date Issued June 27, 2003 Location Council Bluffs, Iowa

WHEREAS, on the 26th day of September 2002, the Iowa Utilities Board accepted the application of MidAmerican Energy Company for a certificate of public convenience, use, and necessity authorizing the construction of a 750 MW coal-fired electric generating facility located at MidAmerican's existing Council Bluffs Energy Center in Council Bluffs, Iowa, as provided for and under the provisions of Iowa Code chapter 476A; and

WHEREAS, upon notice and in accordance with the provisions of Chapter 476A, the Iowa Utilities Board found that the application for construction of the facility should be granted by order dated January 23, 2003, subject to issuance of final pre-construction permits; and

WHEREAS, MidAmerican Energy Company notified the Iowa Utilities Board on June 19, 2003, that all final pre-construction permits had been obtained that could be obtained prior to commencement of construction; and

WHEREAS, the time for appeal of the Iowa Utilities Board's January 23, 2003, order to the Iowa district court has expired:

NOW THEREFORE, pursuant to the orders of the Iowa Utilities Board and the provisions of Iowa Code chapter 476A, this Certificate is issued and permission and authority are hereby granted to MidAmerican Energy Company to build, construct, maintain, and operate and to operate and maintain other apparatus and appurtenances necessary for generating electricity at its facility located at the Council Bluffs Energy Center, Council Bluffs, Iowa.

Applications to significantly alter the facility shall be made in accordance with Iowa Code chapter 476 and the 199 IAC chapter 24.

This Certificate is granted and issued from and after the date of issuance subject to significant alterations as provided by law, and this Certificate shall be subject to and governed by all the provisions, conditions, and requirements of Iowa Code chapter 476A (2003), and by all the provisions, rules, and regulations of the Iowa Utilities Board as now exist or may hereafter be ordered or required by the Iowa Utilities Board, as may be applicable. This certificate shall be in perpetuity, except that the certificate must be surrendered in the event MidAmerican does not proceed with construction and must withdraw its application for certificate pursuant to Iowa Code § 476.53(3)"f."

Notice of this proceeding was provided to other state agencies, county, and city authorities. Other applicable pre-construction permits have been issued. In accordance with Iowa Code § 476A.8 (2003), no regulatory agency, city, or county shall require any further approval, permit, or license for construction of the facility authorized in this Certificate other than requirements relating to the protection of employees engaged in the construction, except that MidAmerican must obtain a

series of permits from the City of Council Bluffs during the construction process, which permits are tied to various phases of underlying construction activities and cannot be obtained in advance of construction, and permission to discharge storm water from the Iowa Department of Natural Resources. MidAmerican has committed to timely obtaining these permits and permission. In accordance with Iowa Code § 476A.11 (2003), no regulatory agency shall hold any other proceeding or oral presentation, or require any other license or permit for the construction of the facility as authorized by this Certificate, except as noted in this paragraph.

During the period of time this Certificate is in force, the right of eminent domain is not necessary and, therefore, not included by the Iowa Utilities Board in granting this certificate.

IT IS FURTHER PROVIDED AND IS A CONDITION OF THIS CERTIFICATE that the Iowa Utilities Board retains jurisdiction and may at any time hereafter and during the period of this Certificate, make further orders and regulations as may be necessary.

Signed and sealed on the 27th day of June, 2003.

UTILITIES BOARD

ATTEST:

/s/ Diane Munns
Chairperson

/s/ Judi K. Cooper
Executive Secretary